

II. REMARKS

Preliminary Remarks

In the official action dated April 22, 2003, the examiner objected to claims 6 and 19 for minor informalities. By the foregoing amendment, the applicants have corrected these minor errors. Therefore, the applicants request the withdrawal of these objections.

The examiner also objected to the abstract of the disclosure. By the foregoing amendment, the applicants have replaced the abstract previously of record in the application.

Finally, the applicants enclose herewith a duly executed inventor declaration, referring to the present application.

Patentability Remarks

35 U.S.C. §112-First Paragraph

The examiner rejected claims 6 and 7 under 35 U.S.C. §112, first paragraph for reasons concerning the previously filed declaration of biological deposit. In response, the applicants submit that this rejection is now moot. Specifically, by the foregoing amendment to the specification the applicants have update their specification to include both the date of deposit and the address of the depository. Also, the applicants have enclosed a substitute declaration of biological deposit, to correct a date error on the declaration submitted December 24, 2003.

In view of the foregoing, the applicants request the withdrawal of this rejection based upon 35 U.S.C. §112, first paragraph.

Claim 22 was rejected under 35 U.S.C. 112, first paragraph for lack of written description. Without further comment and only to expedite prosecution, the applicants have canceled claim 22 by the foregoing amendment. Therefore, the applicants request the withdrawal of this rejection.

35 U.S.C. §103(a)

Claims 15 and 25 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Katsumata et al. in view of Pompejus. Without further comment and only to expedite prosecution, the applicants have canceled claims 15 and 22 by the foregoing amendment. Therefore, the applicants request the withdrawal of this rejection.

III. CONCLUSION

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue that the examiner feels may be best resolved through a personal or telephone interview, the examiner is strongly urged to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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Enclosures: Substitute Declaration of Biological Deposit
Declaration and Power of Attorney